

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY	DEPUTY

UNITED STATES DISTRICT COURT

for the

Northern District of Iowa

United States of America

v.

Mark A. Rissi

Defendant

Case No. 22-MJ-225-MAR

Charging District: District of Arizona

Charging District's Case No. 22-CR-1283

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING**

After a hearing in this court, the defendant is released from custody on a separate order setting conditions of release and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: U.S. District Court for the District of Arizona (Phoenix) 401 W. Washington St. Phoenix, AZ 85003	Courtroom No.: 304
	Date and Time: October 19, 2022 at 11:00 am MST

Date:

10/06/2022

Judge's signature

Kelly K.E. Mahoney, United States Chief Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARK A. RISSI,


Defendant.

No. 22-mj-225-MAR

ORDER

Pursuant to the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (2020), the Court confirms the United States' obligation to produce all exculpatory evidence to the Defendant as required by *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and orders it to do so. Failing to do so in a timely manner may result in consequences, including, but not limited to, continuance of trial, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court.

IT IS SO ORDERED this 6th day of October, 2022.



Kelly K.E. Mahoney
United States Chief Magistrate Judge
Northern District of Iowa

AO 466A (Rev. 07/16) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the
Northern District of Iowa

United States of America

v.

Mark A. Rissi

Defendant

Case No. 22-mj-225-MAR

Charging District's Case No. 22-cr-1283

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)I understand that I have been charged in another district, the *(name of other court)* District of Arizona

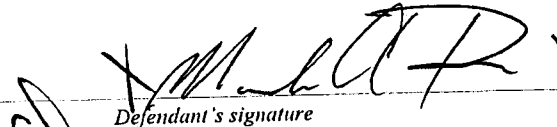
I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☒ a preliminary hearing.
- ☒ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 10/06/2022

 Defendant's signature


 Signature of defendant's attorney
Chris Nathan
Printed name of defendant's attorney

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,
Plaintiff(s)

vs.
MARK A. RISSI,
Defendant(s)

HEARING MINUTES Sealed: No
Case No.: 1:22-mj-225-MAR
Presiding Judge: Kelly K.E. Mahoney, Chief Magistrate
Deputy Clerk: Paul Coberly
Official Court Record: FTR Gold Contract? --
Contact Information: --

Date:	10/6/2022	Start:	2:31 PM	Adjourn:	2:43 PM	Courtroom:	4				
Recesses:	--				Time in Chambers:	--		Telephonic?	No		
Appearances:	Plaintiff(s):	AUSA Daniel C. Tvedt									
	Defendant(s):	AFPD Christopher J. Nathan (Defendant appears personally)									
	U.S. Probation:	Amy Moser									
	Interpreter:	--			Language:	--		Certified:	--	Phone:	--

TYPE OF PROCEEDING:	INITIAL APPEARANCE:	<input checked="" type="checkbox"/>	AND/OR	ARRAIGNMENT:						
				Contested?	No	Continued from a previous date?	No			

Date of indictment:	--									
Was defendant <i>Mirandized</i> ?	Yes									
Defendant pleaded	--									
Counsel:		Retained	<input checked="" type="checkbox"/>	Appointed (FPD or CJA Panel):	FPD: Christopher J. Nathan					
Stipulation to discovery plan?	--			Did defendant provide financial affidavit?	No					
Did the government move for detention?	No			Was the defendant detained?	No					
Identity hearing:	Waived									
Preliminary hearing:	--									
Detention hearing:	--									
Witness/Exhibit List is	--									

The offering party must, within 3 days after the hearing, file in electronic form any exhibit that was not filed with a motion, resistance, or other filing related to this hearing. Pub. Admin. Order 09-AO-03-P (5/29/09) ¶7

Miscellaneous: Case arises out of the District of Arizona, case number 22-cr-1283.

Parties agree to Judge Mahoney preside via video.

Court confirms the United States' obligation under Rule 5(f), that is, to disclose to the defendant all exculpatory evidence as required by *Brady v. Maryland* and its progeny. Failure to disclose any such evidence in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, disciplinary action, or sanction by the Court.

Defendant released under the terms/conditions of the Court's release order.

Defendant directed to appear to the United States District Court for the District of Arizona on 10/19/2022 at 11:00 AM.

CLOSED

**U.S. District Court
Northern District of Iowa (Cedar Rapids)
CRIMINAL DOCKET FOR CASE #: 1:22-mj-00225-MAR-1
Internal Use Only**

Case title: USA v. Rissi

Date Filed: 10/06/2022

Other court case number: 22-cr-1283 USDC District of Arizona

Date Terminated: 10/06/2022

Assigned to: Magistrate Judge Mark A
Roberts

Defendant (1)

Mark A Rissi

TERMINATED: 10/06/2022

represented by **Christopher J Nathan**
Federal Public Defender
222 Third Avenue SE
Suite 290
Cedar Rapids, IA 52401
319 363 9540
Email: christopher_nathan@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None


Disposition

Plaintiff

USA

represented by **Ashley L Corkery**

United States Attorney's Office
 111 7th Avenue SE
 Box 1
 Cedar Rapids, IA 52401
 319 363 6333
 Email: Ashley.Corkery@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
10/06/2022	 <u>1</u>	Rule 5(c)(3) Documents Received from District of Arizona as to Defendant Mark A Rissi. (Attachments: # <u>1</u> Sealed Warrant) (pac) (Entered: 10/06/2022)
10/06/2022		Attorney update in case as to Defendant Mark A Rissi: Attorney Christopher J Nathan for Mark A Rissi added pursuant to the CJA Panel Administrator under the direction of Magistrate Judge Mark A Roberts. (pac) (Entered: 10/06/2022)
10/06/2022	<u>2</u>	ORDER SETTING HEARING as to Defendant Mark A Rissi: Initial Appearance - Rule 5(c)(3) set for 10/6/2022 at 2:30 PM in Ctrm 4 (4th Floor) Cedar Rapids before Chief Magistrate Judge Kelly K.E. Mahoney. Judge Mahoney will preside by video teleconference. Signed by Magistrate Judge Mark A Roberts on 10/6/2022. (JLH) (Entered: 10/06/2022)
10/06/2022	<u>3</u>	ORDER Appointing Federal Public Defender as to Defendant Mark A Rissi: Christopher J Nathan appointed. Financial Affidavit due by 10/20/2022. Signed by Chief Magistrate Judge Kelly K.E. Mahoney on 10/6/2022. (pac) (Entered: 10/06/2022)
10/06/2022	<u>4</u>	MINUTE Entry for proceedings held before Chief Magistrate Judge Kelly K.E. Mahoney: Initial Appearance in Rule 5(c)(3) Proceedings as to Defendant Mark A Rissi held on 10/6/2022. Attorney Christopher J Nathan for defendant. Defendant released. Official Court Record: FTR Gold. (pac) (Entered: 10/06/2022)
10/06/2022	<u>5</u>	WAIVER of Rule 5 & 5.1 Hearings by Defendant Mark A Rissi. (pac) (Entered: 10/06/2022)
10/06/2022	<u>6</u>	APPEARANCE BOND AND ORDER Setting Conditions of Release as to Defendant Mark A Rissi. Signed by Chief Magistrate Judge Kelly K.E. Mahoney on 10/6/2022. (pac) (Entered: 10/06/2022)
10/06/2022	<u>7</u>	ORDER Pursuant to the Due Process Protections Act as to Defendant Mark A Rissi. Signed by Chief Magistrate Judge Kelly K.E. Mahoney on 10/6/2022. (pac) (Entered: 10/06/2022)
10/06/2022	<u>8</u>	ORDER Requiring Defendant to Appear as to Defendant Mark A Rissi: Defendant to appear in the District of Arizona on 10/19/2022 at 11:00 AM MST. Signed by Chief Magistrate Judge Kelly K.E. Mahoney on 10/6/2022. (pac) (Entered: 10/06/2022)
10/06/2022		DOCKET Annotation as to Defendant Mark A Rissi: Northern District of Iowa documents emailed to District of Arizona. (pac) (Entered: 10/06/2022)